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FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

Report of the Secretary-General

SUMMARY

The present report contains the performance report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 for 1995. An amount totalling $13,467,300 gross ($12,914,900 net) was approved by the General Assembly for the operation of the Tribunal. During this period expenditures totalled $2,202,900, resulting in an unencumbered balance of $10,712,000.

The General Assembly is requested in financing the Tribunal for 1996 to credit the unencumbered balance against the Tribunal's budget for 1996 and to assess Member States for the balance according to the 50/50 cost-sharing methodology determined in General Assembly resolution 49/251 of 20 July 1995.

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I. INTRODUCTION

1. In its resolution 955 (1994) of 8 November 1994, the Security Council, acting under Chapter VII of the Charter of the United Nations, established the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

2. In previous reports of the Secretary-General (A/C.5/50/16 of 6 November 1995 and A/C.5/50/47 of 14 December 1995), it was indicated that the Tribunal had experienced delays in attaining a fully operational phase, which was reflected in lower than anticipated levels of expenditure. Those delays included the signing of the agreement between the United Nations and the United Republic of Tanzania concerning the headquarters of the Tribunal on 31 August 1995, and the conclusion on 31 October 1995 of the lease agreement between the Tribunal and the management of the Arusha International Conference Centre providing for the premises of the Tribunal at the Centre, which enabled the Tribunal to commence its functions at its headquarters in Arusha as from 27 November 1995.

3. The present report is submitted in response to General Assembly resolution 49/251 of 20 July 1995, in which the Secretary-General was requested to submit a performance report on the International Tribunal for Rwanda at the end of each biennium, but no later than May 1996.

4. Developments of the Tribunal since its establishment were reported in paragraphs 7 to 18 of the report of the Secretary-General of 11 March 1996 (A/C.5/50/54).

5. As regards expenditures on its operation during the period, the Tribunal, in particular the Office of the Prosecutor, was assisted by the United Nations Assistance Mission for Rwanda (UNAMIR) with regard to the loan of capital equipment, vehicles (including fuel and lubricants), supply of goods and services, communications networks and utilities in Rwanda. With regard to security, UNAMIR contingent troops were provided for protection of the Tribunal's premises.

II. PERFORMANCE REPORT FOR 1995

Summary of expenditures and unencumbered balances for 1995 by object of expenditure

(Thousands of United States dollars)

Object of expenditure	1995 appropriation	1995 expenditure	Unemcumbered balance
Salaries and allowances of judges (including common costs)	325.1	28.0	297.1
Posts	2 668.5	1 024.3	1 644.2
Temporary assistance for meetings	165.0	15.2	149.8
General temporary assistance	299.3	290.9	8.4
Consultants	197.0	39.3	157.7
Travel	1 080.3	684.1	396.2
Contractual services	115.0	11.3	103.7
General operating expenses	7 446.4	80.6	7 365.8
Supplies and materials	118.4	8.3	110.1
Furniture and equipment	499.9	20.9	479.0
Total	12 914.9	2 202.9	10 712.0

Salaries and allowances of judges (including common costs): Expenditure - $28,000

6. During 1995, no judges were on board. However, expenditure in the amount of $28,000 was incurred at the first plenary session held on 30 June 1995 at The Hague when the judges were reimbursed on a pro rata basis for their attendance, and when payments on a pro rata basis were also made to judges when acting in an official capacity such as signing warrants and/or indictments.

Posts: Expenditure - $1,024,300

7. The expenditure relates to salaries and common staff costs of staff deployed for the Office of the Prosecutor and the Registry. No staff were recruited for the Chambers. The lower level of expenditure was the result of fewer staff members being deployed than expected. In the case of the Registry, a few staff were originally located in New York prior to their deployment to

Arusha in mid-December 1995. Only 16 of the 102 international posts authorized for the Office of the Prosecutor were filled.

Temporary assistance for meetings: Expenditure - $15,200

8. Resources originally requested included requirements for both the inaugural session of the Tribunal at The Hague and the services of translators and revisers for six months. Owing to the late start of the activities of the Tribunal, lower levels of expenditure than anticipated were recorded.

General temporary assistance: Expenditure - $290,900

9. Expenditure under this heading reflects in particular the staff costs of the initial phase of the establishment of the Tribunal.

Consultants: Expenditure - $39,300

10. Expenditure relates to the engagement of consultants in connection with the renovations to the premises occupied by the headquarters of the Tribunal at the Arusha International Conference Centre and evaluation of the possible use of the Chinese Village at Kigali. Scientific consultants for mass grave exhumation anticipated to be engaged over this period were subsequently engaged in January 1996.

Travel: Expenditure - $684,100

11. Expenditure under travel relates to the first plenary session held at The Hague and for the travel of the President to attend various meetings. Further, expenditure was incurred by staff members of the Registry, in particular travel of the Registrar to neighbouring countries, The Hague and New York for consultations and delivery of warrants of arrests; and travel of staff members of the Office of the Prosecutor, primarily investigators located in Kigali and The Hague.

Contractual services: Expenditure - $11,300

12. Contractual services were required on a limited basis during the period. Specialist laboratory services such as document testing were used for the investigations of the Office of the Prosecutor; and external translation services were engaged for the Rwanda Operational Support Group Conference held in May 1995.

General operating expenses: Expenditure - $80,600

13. The expenditure relates to the Rwanda Operational Support Group Conference held at Kigali in May 1995 and other official hospitality ($9,200).

14. Expenditure for premises ($57,000) includes the cost of roofing material for the Arusha International Conference Centre and the rental of conference facilities at Kigali for the Conference. No further expenditures were incurred in Kigali for renovations to the Centre or construction of detention cells owing to the delays experienced in achieving a fully operational phase.

15. In addition, other general operating expenses ($14,400) relate to commercial communications, charges for express mail, postage and pouch services, local transportation costs for use by a survey mission, the Registrar and a small number of staff deployed in mid-December 1995 and other miscellaneous items such as batteries.

16. The lower than expected overall level of general operating expenditures reflect the delayed implementation of the full activities of the Tribunal and the availability of contributed resources. In Rwanda, the equipment and services utilized by the Tribunal, such as use of satellite communications, were either contributed or on loan from UNAMIR. In Arusha, the existing Arusha International Conference Centre telephone system was used, resulting in no expenditure except for the external commercial communications provided by the Tanzanian Telephone Company.

Supplies and materials: Expenditure - $8,300

17. Supplies and materials for the Office of the Prosecutor in Rwanda were provided at no cost by UNAMIR, and there was minimal requirement for such items in Arusha during the period as a result of the late start of the activities of the Tribunal.

Furniture and equipment: Expenditure - $20,900

18. Expenditure incurred during the period relates to the acquisition of office automation equipment and office furniture and equipment. A lower than anticipated amount had been expended in the light of equipment donated by Member States and the loan of furniture and equipment by UNAMIR.

III. ACTION TO BE TAKEN BY THE GENERAL ASSEMBLY AT ITS FIFTIETH SESSION

19. The General Assembly is requested in financing the Tribunal to credit the unencumbered balance of $10,712,000 (net) for the period from 1 January to 31 December 1995 against the Tribunal budget for 1996 and to assess Member States for the balance according to the 50/50 cost-sharing methodology determined in General Assembly resolution 49/251.

ANNEX

Status of receipts to and expenditures from the Voluntary Fund to support the activities of the International Tribunal for Rwanda

(In United States dollars)

A. Cash contributions (as of May 1996)

Date	Contributor	Contribution received
10 January 1995	Switzerland	75 757.58
11 January 1995	New Zealand	31 860.00
9 March 1995	Ireland	79 225.00
14 March 1995	Egypt	1 000.00
29 March 1995	Chile	1 000.00
4 April 1995	Lebanon	3 000.00
11 April 1995	Greece	20 000.00
19 May 1995	Israel	7 500.00
23 May 1995	Holy See	3 000.00
23 June 1995	Belgium	1 115 949.43
10 July 1995	Norway	49 983.00
13 July 1995	Sweden	68 728.52
29 July 1995	New Zealand	2 932.00
14 August 1995	Spain	78 751.00
29 August 1995	Denmark	43 451.81
19 September 1995	Netherlands	2 995 530.86
24 October 1995	Spain	71 249.00
27 November 1995	Canada	367 450.00
29 December 1995	Ireland	158 478.60
22 April 1996	United Kingdom of Great Britain and Northern Ireland	75 000.00
23 April 1996	United Kingdom	20 000.00
26 April 1996	Canada	367 400.00
Total		5 637 246.80

B. Expenditure (at December 1995)

	$
Staff and other personnel costs	83 399
Travel	148 102
General operating expenses	293
Furniture and equipment	11 349
Total	243 143

C. Allotments issued (at May 1996)

	$
Salaries and other personnel costs	1 773 900
Equipment (vehicles, aircraft)	1 368 200
Total	3 142 100

D. Seconded personnel on non-reimbursable loan (as of March 1996)

Contributor	Function	Number of personnel
Netherlands	Investigators	19
Norway	Investigators	3
Switzerland	External relations officer	1
United Kingdom	Investigator	1
United States of America	Investigator	1
United States	Administrative	1
Total		26

E. Equipment a/

Contributor	Description	Number
Norway	Nissan Patrol	2
Netherlands	Dell laptop computer	20
Netherlands	Automobile adapter	20
Netherlands	Portable modem	20
Netherlands	Microsoft office software	20
Netherlands	Canon BJ-30 printers	10
Netherlands	Vehicles	10
European Union	Backhoe excavator	1
European Union	4 x 4 vehicles and radios	7

Contributor	Description	Number
European Union	Trailers	3
European Union	Truck - general purpose (Hiab)	1
European Union	Tanker trailer (water)	1
European Union	Generator	2
European Union	Sanitation unit	1
European Union	Office equipment	1
European Union	Site surveying equipment	1
European Union	Portable x-ray	1
European Union	Portable personal computer (plus 4 batteries)	8
European Union	Portable printer and charger	1
European Union	Various field forensic equipment (250 autopsies)	1
European Union	Lab services (Lot)	1
European Union	Camera	3
European Union	Processing (Lot)	1
European Union	Forensic reference books (Lot)	1
European Union	Tentbed sites	1
For library		
European Union	Books (Lot)	1
European Union	Shelves and furniture (Lot)	1
European Union	Personal computers	4
European Union	Public terminal	1
European Union	Printer	1
European Union	CD ROM	4
European Union	Modem	1
European Union	Telefax	1
European Union	Software	4
European Union	Photocopier	1
European Union	Scanner	1
European Union	Microfiche reader	1
European Union	UPS	5
European Union	Air conditioner/humidifier	2

Contributor	Description	Number
European Union	Fire extinguisher	4
European Union	Video conferencing equipment and technical in-country support for 6-9 months	1
Arusha and Kigali offices		
United States	386 desktop computers	30
United States	Office chairs and sofas	41
United States	Office desk	30
United States	Shelving units	13
United States	Bookcases	2
United States	Filing cabinets	10
United States	2.5T trucks	2
United Kingdom	Computer with monitor	8
United Kingdom	Colour printer	4
United Kingdom	Laptop computer	3
United Kingdom	Large photocopier	1
United Kingdom	Fax machine	1
United Kingdom	Spares for fax and photocopier	1

a/ Vehicles provided used exclusively by the forensic team.